

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

FAIR ISAAC CORPORATION,

Court File No. 16-cv-1054 (WMW/DTS)

Plaintiff,

v.

FEDERAL INSURANCE COMPANY,
an Indiana corporation, and ACE
AMERICAN INSURANCE COMPANY,
a Pennsylvania corporation,

Defendants.

**DECLARATION OF
CHRISTOPHER D. PHAM IN
SUPPORT OF DEFENDANTS'
OBJECTION TO THE COURT'S
JUNE 4, 2019 ORDER**

I, Christopher D. Pham, declare as follows:

1. I am an attorney at Fredrikson & Byron, P.A. and am one of the attorneys representing Defendants Federal Insurance Company and ACE American Insurance Company (collectively, "Federal") in this case.

2. Attached as **Exhibit 1** is a copy of a November 17, 2008 teleconference to discuss Chubb license agreement and a plan for Chubb Europe.

3. Attached as **Exhibit 2** is a copy Plaintiff's First Amended Privilege Log dated February 5, 2019.

4. Attached as **Exhibit 3** is a copy of a November 26, 2008 email from Lawrence Wachs to Russell Schreiber (FICO0002448-2449).

5. Attached as **Exhibit 4** is a copy of Exhibit 47 to the Michael Sawyer deposition taken on October 2, 2018.

6. Attached as **Exhibit 5** is a compilation of additional communications in which FICO employees state the license agreement is global.

7. Attached as **Exhibit 6** is a copy of Exhibit 100 from the October 9, 2018 deposition of Thomas Carretta.

8. Attached as **Exhibit 7** is a copy of Exhibit 103 from the October 9, 2018 deposition of Thomas Carretta.

9. Attached as **Exhibit 8** is a copy of excerpts from the October 9, 2018 deposition of Thomas Carretta.

10. Attached as **Exhibit 9** is a copy of excerpts from the March 22, 2019 deposition of Thomas Carretta.

11. Attached as **Exhibit 10** is a copy of Exhibit 60 from the deposition of Oliver Clark taken on September 11, 2018.

12. Attached as **Exhibit 11** is a copy of Plaintiff Fair Isaac Corporation's Fourth Set of Requests for Production of Documents to Defendants Federal Insurance Company and ACE American Insurance Company, dated December 28, 2018.

13. Attached as **Exhibit 12** is a copy of Defendants' Responses to Plaintiff's Fourth Set of Requests for Production of Documents, dated January 28, 2019.

14. Attached as **Exhibit 13** is a copy of Defendants' Supplemental Responses to Plaintiff's Fourth Set of Requests for Production of Documents, dated March 4, 2019.

15. Attached as **Exhibit 14** is a copy of an April 16, 2019, email from Defendants informing Plaintiffs that the Blaze Chart will be updated.

16. Attached as **Exhibit 15** is a copy of a May 2, 2019, letter from FICO's counsel to Federal's counsel requesting the underlying substance of Blaze Rules.

17. Attached as **Exhibit 16** is a copy of a May 23, 2019, letter from Federal to the Court and FICO's counsel advising of Federal's two options for extracting and producing the Blaze Rules and the associated respective costs.

18. Attached as **Exhibit 17** is a copy of a May 28, 2019, letter from FICO in response to Federal's May 23, 2019, letter.

19. Attached as **Exhibit 18** is a copy of a May 30, 2019, letter from Federal in reply to FICO's May 28, 2019, letter.

20. Attached as **Exhibit 19** is a copy of the transcript from the June 4, 2019 phone conference hearing.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: June 18, 2019

s/ Christopher D. Pham

Christopher D. Pham

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